



# Public Notice

US Army Corps  
of Engineers  
Memphis District

REPLY TO ATTN: Tom Skelton  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-3468  
Fax (901) 544-3266  
EMail: James.T.Skelton@usace.army.mil  
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:  
MVM-2004-269(TS)

PUBLIC NOTICE DATE:  
July 20, 2004

EXPIRATION DATE:  
August 19, 2004

Joint Public Notice  
Corps of Engineers  
and  
State of Tennessee

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:** Tom Rice  
White Lake Waterfowl, LLC  
713 Melpark Drive  
Nashville, Tennessee 37204  
(615) 385-4422

**AGENT:** Thomas E. Heineke, Ph.D.  
Heineke & Associates., Inc.  
3014 Sycamore View Road  
Bartlett, Tennessee 38134  
(901) 373-3289

**LOCATION:** The project is located adjacent to Tennessee Wildlife Resources Agency's White Lake Refuge in Dyer County, Tennessee, at approximate latitude 36.125 and longitude 89.525 on the Tennemo and Caruthersville 7.5 minute quadrangle maps.

**PURPOSE:** The purpose of the project is construct a greentree reservoir for waterfowl hunting.

**DESCRIPTION OF WORK:** The applicant proposes to construct a greentree reservoir (GTR) with two cells. The northern cell will be approximately 87.41 acres and the southern cell approximately 39.17 acres. Each cell will be enclosed with a low terrace. The top elevation of the terrace will be 261.7 NGVD on the northern cell and 261.1 NGVD on the southern cell. The terraces forming the east and west sides of the northern terrace will tie into an existing terrace which has been built within a non-regulatory area. Terraces will have a maximum height of 3 feet and average 1.68 feet in height. The western terrace of both cells will have a 12-foot wide top width and the remaining terraces will have a 10-foot wide top width. The 12-foot width is necessary to accommodate farm equipment and log trucks. The average bottom width of the western terraces will be approximately 18.68 feet. The average bottom width of the remaining terraces will be approximately 16.76 feet. Side slopes will be shaped at a 2h:1v slope and seeded with native grasses. Borrow areas will be constructed on the outside of the terraces and will be intermitted to prevent drainage of adjacent wetlands. A flow area is planned to run through the lowest ground between the two cells. To allow vehicular access, a 12-foot wide, 12-inch high, 250-foot long road crossing will be constructed at the western side of the flow area.

Each of the cells within the GTR will remain dry every third year, except during natural flood events, by leaving the pipes open. Maximum water depth (excluding existing channel) will be approximately 18 inches, with an average depth of nine inches. Flooding (over a 7 to 10 day period) will begin two weeks prior to duck season; de-watering will begin at the end of duck season. De-watering will be done through a series of pipes ranging in size for 6 to 12 inches in diameter. Attached to these pipes will be PVC elbows with extensions which can be turned down for drainage and pulled up to retain water. Water to flood the cells will be provided by wells. Electricity for the pumps will be brought in via utility poles from the entrance of the White Lake Wildlife Refuge. Approximately 9.91 acres of wetlands will be directly impacted by the project. The impacted area will consist of 5.16 acres of borrow pits and 4.75 acres of terraces. These wetlands are dominated by green ash, sugarberry and silver maple.



The applicant proposes to mitigate for wetland losses in two parts: 1) along the edges of the borrow pits and 2) on prior converted farm land. Mitigation will be done along the borrow pit areas by planting wetland shrubs and seedlings within the impacted area exclusive of the borrow pits and the terraces. The farm land portion involves approximately 14.31 acres located approximately 1.25 miles east of the impact site. This involves the hydrological and vegetative enhancement of a prior converted field.

**WATER QUALITY CERTIFICATION:** By copy of this public notice, the applicant is requesting water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. Commentors are requested to also furnish a copy of their comments to the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC), at (615) 532-0713 or in writing at TDEC 7th Floor L. & C. Annex Building, 401 Church Street, Nashville, Tennessee 37243-1534. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity. The applicant is also encouraged to contact the offices of TDEC at the above telephone number or address for information on permit processing fees and TDEC's potential need for additional information not found in this notice. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

**ENDANGERED SPECIES:** No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

**CULTURAL RESOURCES:** The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

**FLOOD PLAIN:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** If you wish to obtain additional information or to submit comments on the application, please contact Tom Skelton at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3468. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

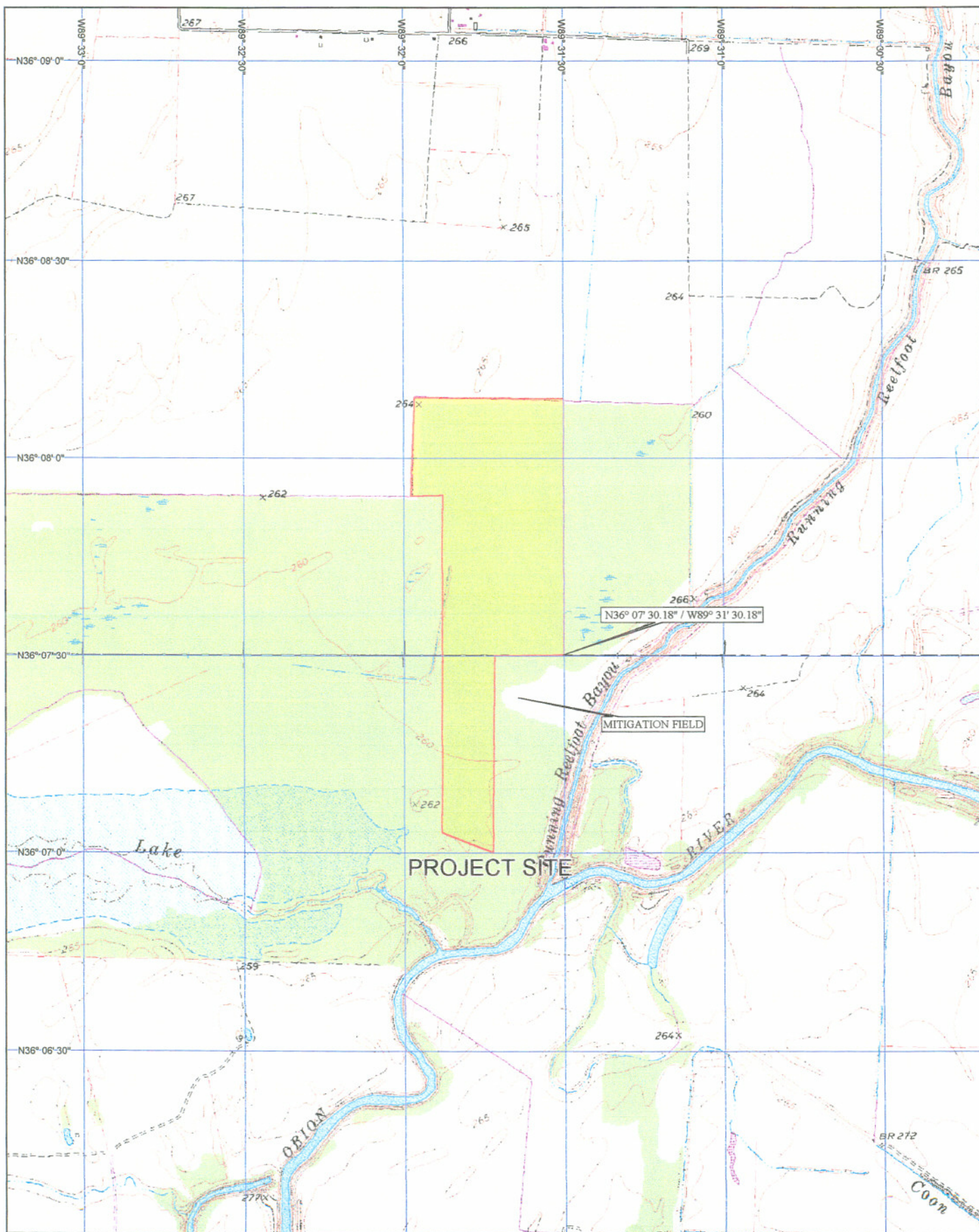
Comments should be received by August 19, 2004.



Larry D. Watson  
Chief  
Regulatory Branch

Attachments

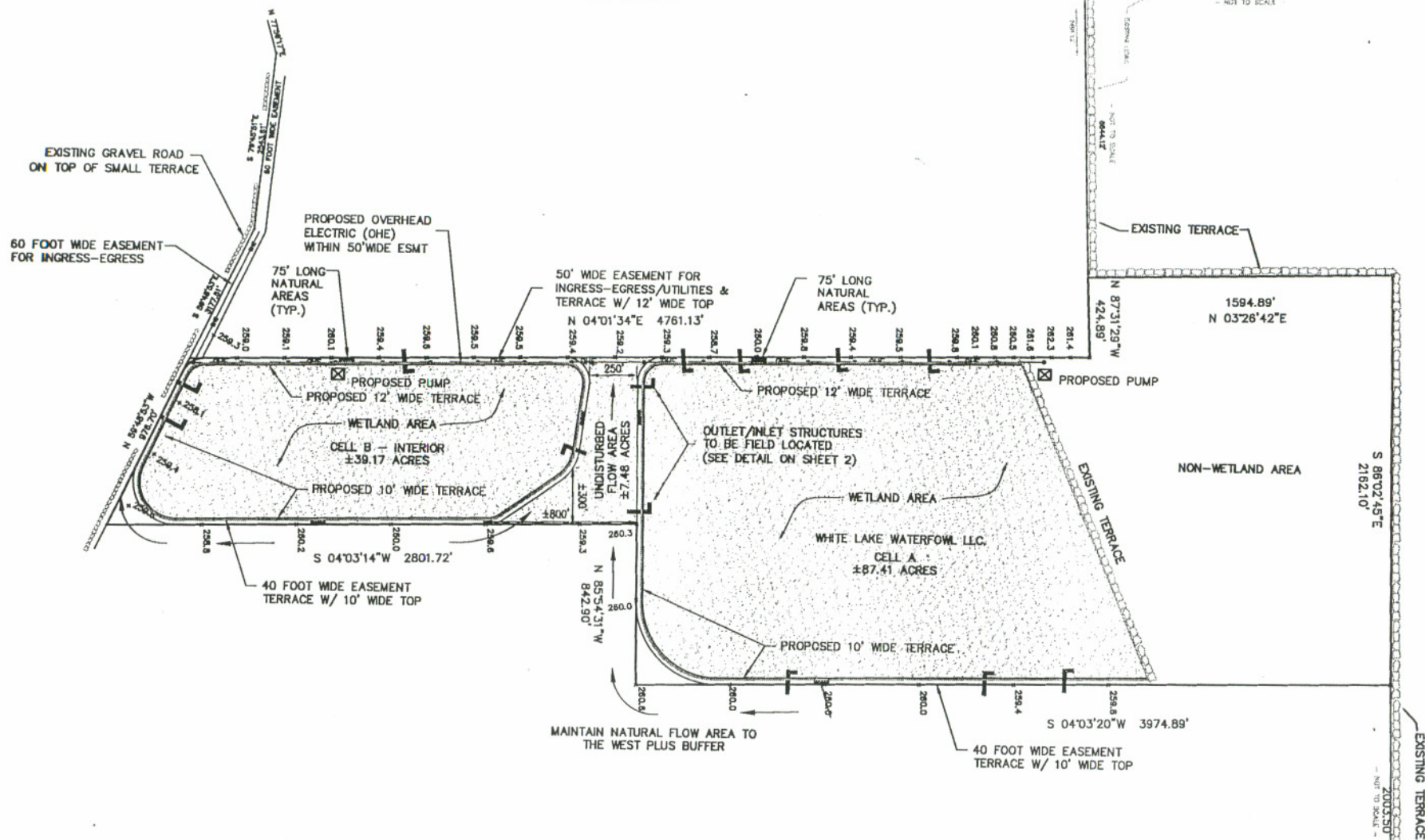






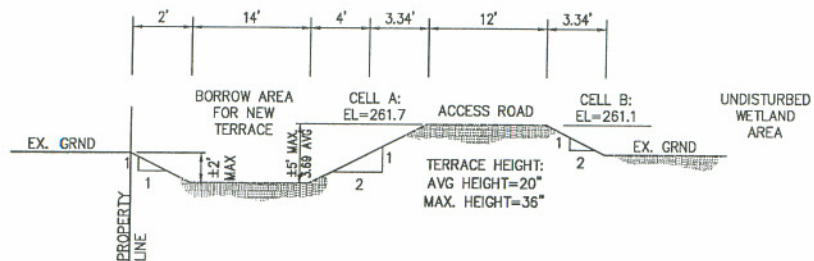
SCALE: 1"=500'

APRIL 16, 2004

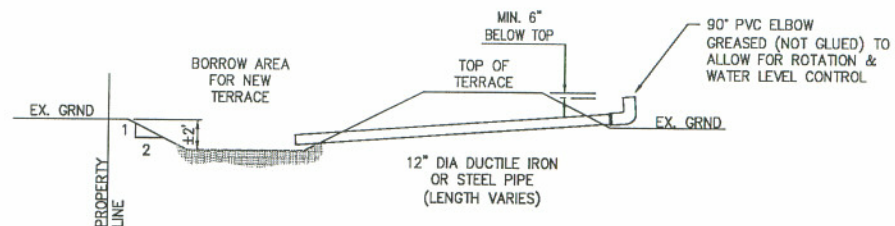




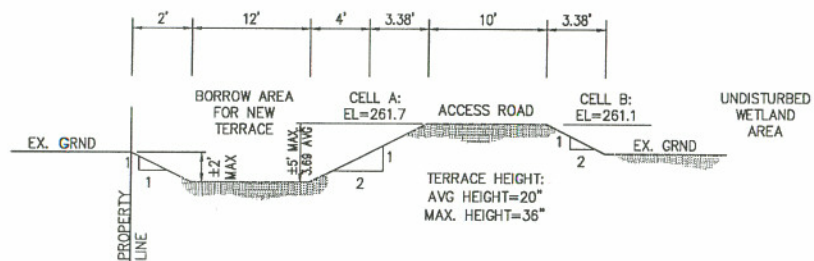
WHITE LAKE WATERFOWL, LLC  
PROPOSED MODIFICATIONS  
APRIL 16, 2004



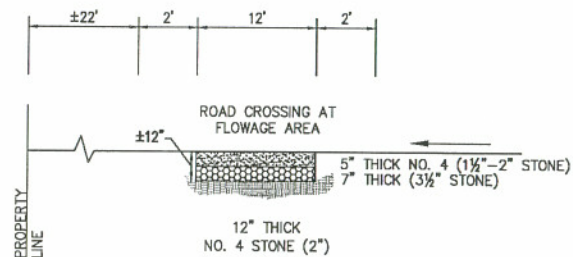
TYPICAL SECTION - WESTERN TERRACE W/ 12' WIDE TOP



TYPICAL SECTION OF TERRACE W/ OUTLET PIPE



TYPICAL SECTION - EASTERN & LATERAL TERRACE W/ 10' WIDE TOP



TYPICAL CROSS SECTION - THRU FLOW AREA CROSSING